brought under our flag by a joint resolution which incorporated them as having all the rights under our Constitution that any other people in the United States have. They are not the subjects of conquest; they are not the accidents of war; and I maintain the Senator cannot differentiate those people from any other people who are now under the protection of the United States Constitution and flag.

Mr. PLATT of Connecticut. Well, Mr. President, they differ certainly from any Territories to which we have heretofore given a form of government, in that they are one of our own bitherto-seen possessions, and the question, if it is right upon us—I shall discuss it under another amendment—as to whether we ever intend to erect those Territories, or those new countries or possessions, those islands, into States. I do not believe it is good policy to do so; and it was in that respect that I said they differ from other enterprises of the power of the Government into which we have heretofore established Territorial governments. They differ in the char of their population. We have never had any such population in the United States, when we have set out to erect a Territorial government within our former boundaries, as exists in Hawaii, much less in the Philippine islands. We must to some extent consider these questions; and in considering to whom suffrage shall be given, we must consider the question as to whether it shall be given to people who have little or no capacity for government.

That is not a new principle, Mr. President, although we are taking up the subject under a new principle adopted and agreed to at the time of the Declaration of Independence and the enactment of our Constitution. All suffrage in the United States—unlike it was in the State of New Jersey; I think it was not so as to the State of New Jersey—was at the time of the adoption of the Declaration of Independence, and it is the doctrine of the Constitution that suffrage should be participated in only by the persons who are qualified to exercise it.

Mr. President, in this bill—and, as I said, I do not object to it—we give unlimited suffrage to the citizens of Hawaii, who are to elect the members of the house of representatives. I believe that is not a new principle.

Mr. CULLOM. Yes. Mr. PLATT of Connecticut. We provide a qualified and limited suffrage for the people who are to elect the senators.

Mr. CULLOM. As to the representatives there is only the educational suffrage.

Mr. PLATT of Connecticut. Only an educational qualification is required as to the members of the house of representatives. The object of that—and I do not propose to disguise it—is, as I have said, to perpetuate the government in the hands of the people already in power. In the United States, that is what was done. When I was interrupted I was saying that they were the people who had redeemed the islands from savagery and barbarism, from its original cannibalism, and who have brought it up, step by step, to a position where a republican form of government had been established and established, and it is maintained, and maintained by those who are best qualified to administer it. But, Mr. President, when we have done that—and I agree to that limited suffrage for senators—I think we have done all that is necessary. I do not think we ought to go beyond that.

Mr. LINDSAY of Illinois. Mr. President—Mr. PLATT of Connecticut. Let me finish my sentence.

I do not think we ought to confer upon and throw around those people safeguards for the perpetuation of that government which shall in effect give arbitrary power, despotic power, to the officers who are to be appointed there.

Mr. UNITED STATES PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Kentucky?

Mr. PLATT of Connecticut. Yes, sir.

Mr. PLATT of Kentucky. Mr. President—Mr. PLATT of Connecticut. I wish to ask the Senator, if his amendment be adopted as amended, that the President under this bill the President would be authorized to appoint those judges from any of the citizens of the United States, or would be confined in his selection to the residents of the Hawaiian Islands?

Mr. PLATT of Connecticut. I think there is nothing in the bill which confines his selection to the residents of the Hawaiian Islands.

Mr. BEVERIDGE. I think there is.

Mr. PLATT of Connecticut. I think not. I think he would be at liberty to select those judges from the United States or from the islands themselves; and I have no doubt any President would act in such a way.

Mr. President, I think, by and large, we have organized fifty Territories in the United States, and in none of them in recent years have we given to judges a tenure exceeding four years. I am aware that in the organization of some of the earlier Territories judges were appointed during good behavior, but in recent years, I think I may say in the recent half century, we have never appointed a judge a tenure of more than four years. I think we have given them a tenure exceeding four years, but not of more than four years. I think we have appointed a four years' tenure. There is more reason, in my judgment, why we should insist upon that rule with regard to Hawaii than there is with regard to any other Territory we have ever organized.

The same as it came from the committee took away from the President, or did not give to the President, the right to appoint judges at all, except for what is called the Federal court. So far as the Territorial court proper is concerned, the judges are to be appointed by the governor, by and with the advice and consent of the Senate. We have taken away the federal court—only, they have been for life, with a property qualification. It continued the present judges—

I think that was the effect of it—the chief justice and all the justices of the supreme court, during good behavior; that is, it continued them with a life tenure, and continued the present circuit judges for a term of ten years. It made their decision final, and annulled the commission in which I have offered changes that here, then, we had a governor with arbitrary power to appoint the judges, by and with the advice and consent of this aristocratic senate—if I may be permitted to use the word, not in its bad sense but in its government sense. We now, in office, the chief justice and the associate justices of the supreme court during life, and we continued the judges of the circuit courts for six years. Then we made their decision final, and no matter what they might decide, we entirely lost power or control over the courts in Hawaii. In other words, we surrendered to these people the entire responsibility and the right to review any decision which they might make.

Mr. President, that is not necessary to perpetuate the government in the hands of the ruling class there; it is not wise. What complications will arise in that island no human being can foresee. Mr. President, Mr. Lindsay and others are in favor of a law to take them against 145,000 of the nongoverning class; we know that that governing class to-day is largely opposed to the people who are administering the government, and that only in this last year there has been a very decided sentiment arisen on the part of the white people of that island to get rid of the Government and the rule of the king.

I insist that it is better to stand by the rules which we have adopted for the creation of Territories at home than it is to extend them in those far-off and distant islands. There can be no harm come from this limited tenure of the judges, and if it does not do any harm, it is better that they should not have long terms of office; it is better that they should be subject to the power of removal by the President if you want to keep the judiciary of those islands pure and honest and upright. If it should happen that the 145,000 of the nongoverning class should over ride the 4,000 who are in power, who are the judges, who would be exceedingly sorry, Mr. President, that judges whom they elected should be beyond the reach of removal by the President of the United States, and have a term of nine years, removable only by impeachment of the senate and house of Representatives of Hawaii. There is no need of going to that extreme course, for we can get a permanent government getting into hands into which we do not think it wise that it should be committed.

In the section which I have proposed to amend there was another extraordinary power given to the governor—that the right rule. I think it is very proper, and it is in the interest of the country to have all the executive duties, all the executive, and which, while giving him the appointment of heads of departments, with the approval of the senate, permit him to remove them with such approval, a power not enjoyed by the governor of the United States.

I think perhaps President Dole is wrong in that.

Nor can I agree to the absence of any provisions whatever limiting or checking the action of the governor, under this law, for helping to give approval of the senate required in certain appointments.

The weight of these objections will be better understood in view of the remarks of the commissioners that the legislature shall hold regular sessions but once in two years, as heretofore, which circumstance would furnishing the governor with the opportunity, if he should choose to utilize it, to take the power of the legislature under his hand in the next session of the Senate, which might not occur for nearly two years.